

3:24-CV-492

ORDER

“The public has a strong interest in obtaining the information contained in the court record.” *Brown & Williamson Tobacco Corp. v. F.T.C.*, 710 F.2d 1165, 1180 (6th Cir. 1983); *see also Shane Grp., Inc. v. Blue Cross Blue Shield of Michigan*, 825 F.3d 299, 305 (6th Cir. 2016). This is because the public has an interest in learning what information courts rely upon in reaching their decisions. *Shane Grp.*, 825 F.3d at 305 (citing *Brown & Williamson*, 710 F.2d at 1181). Moreover, it is the party seeking sealing who bears the burden of overcoming the strong presumption in favor of openness of court records. *Id.* Specifically, the Sixth Circuit has advised that “[t]he proponent of sealing therefore must ‘analyze in detail, document by document, the propriety of secrecy, providing reasons and legal citations.’” *Id.* (quoting *Baxter Int’l, Inc. v. Abbott Labs.*, 297 F.3d 544, 548 (7th Cir. 2002)).

The Sixth Circuit has also recognized that trade secrets will generally satisfy a party's burden of showing a compelling reason for sealing documents. *See Kondash v. Kia Motors America, Inc.*, 767 F. App'x 635, 638 (6th Cir. 2019). Nonetheless, “even if a district court finds that a trade secret exists, it must still determine whether public interest outweighs the moving party's interests in protecting their trade secret.” *See id.* *See also Andrews v. Tri Star Sprots and Entertainment Group, Inc.*, NO. 3:21-cv-00526, 2023 WL 3590673 at *1 (E.D. Tenn. 2023) (finding redaction appropriate where documents contained trade secrets such as particular employees’ billing rates, the name of Defendant’s client, and information pertaining to business strategies during the Covid-19 pandemic).

The Court finds that there are good grounds for permitting the filing of a redacted version of the Complaint while maintaining the original Complaint under seal. As such, the Joint Motion to Replace the Complaint [Doc. 20] is **GRANTED** to the extent that the redacted Complaint [Doc. 20-1] will be available in the public record. The Clerk of Court is **DIRECTED** to keep the original

current Complaint [Doc. 1] under seal and file the redacted version to which the parties have agreed [Doc. 20-1] into the public record. Should either party wish for these documents to be unsealed in the future, a request to unseal should be made by filing an appropriate motion with the Court.

SO ORDERED:

/s/Cynthia Richardson Wyrick
United States Magistrate Judge